

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA  
CIVIL MINUTES - JURY TRIAL DAY 5

Phoenix Division

MDL 15-2641-PHX-DGC  
Year Case No Initials

DATE: 3/21/2018

Title: IN RE: Bard IVC Filters Products Liability Litigation

=====

HON: DAVID G. CAMPBELL

Traci C. Abraham

Deputy Clerk

Patricia Lyons/Elaine Cropper

Court Reporter

APPEARANCES:

Ramon Lopez, Mark O'Connor, Julia Reed-Zaic, Robin Lourie

Attorney(s) for Plaintiff(s)

Richard North, James Condo, Elizabeth Helm, Greg Dadika

Attorney(s) for Defendant(s)

=====

PROCEEDINGS: X Jury Trial Day 5

**1<sup>st</sup> Bellwether Trial -Plaintiff Sherr-Una Booker**

8:30 Court in session. Parties are present. FDA warning letter discussed. Matter under advisement. Plaintiff request an additional 3 hours to complete their case. 9:00 Jury present. Dr. Marcus D'Ayala video deposition continues. 9:31 Dr. Salil J. Patel appears by video deposition. Exhibits 2368,2349,1811,2355,1806, 1807 admitted. 10:14 Dr. Brandon Sang Joon Kang appears by video deposition. 10:30 Court in recess.

10:45 Court in session. Parties are present. Jury present. Dr. Brandon Sang Joon Kang video deposition continues. Exhibit 2350 admitted. 11:06 Dr. Richard L. Harvey appears by video deposition. Exhibits 2361,2364,1332 admitted. 11:38 Michael Randall sworn and examined. Exhibit 1222 admitted. 12:00 Jury excused. 12:01 Objections to exhibit 4327 discussed. Further discussion to be held after lunch. Argument for punitive damages discussed. 12:05 Court in recess.

12:55 Court in session. Parties are present. Exhibit 4327 discussed. Objections to pages 8, 9, 10. Court to review a copy before ruling on those pages. Exhibit 4327 1<sup>st</sup> 7 pages admitted. 1:02 Jury present. Michael Randall examination continues. Exhibit 4327 displayed. 2:06 Daniel Orms appears by video deposition. 2:20 Robert Carr Jr. sworn and examined. 2:30 Court in recess.

Page 2  
MDL 15-2641  
3/21/2018  
Day 5 Jury Trial

2:45 Court in session. Parties are present. Jury present. Robert Carr Jr. examination continues. Exhibit 800,1517,1578,5303 admitted. 4:20 Jury excused. Sullivan deposition discussed. 31 objections submitted. FDA warning letter discussed. Parties to submit a 2 page memorandum after conferring. Each side allotted 2 additional hours. Final jury instructions/verdict form to be discussed at 4:30p.m. on 3/22/2018.

Jury trial continues on 3/22/2018 at 8:30 a.m.